



General Assembly

January Session, 2001

Committee Bill No. 863

LCO No. 4830

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

AN ACT CONCERNING NURSING HOME STAFFING LEVELS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 19a-522 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 [(a) On or before December 1, 1975, the commissioner shall, in
4 accordance with chapter 54, adopt regulations]

5 (a) The Commissioner of Public Health shall adopt regulations, in
6 accordance with chapter 54, concerning the health, safety and welfare
7 of patients in nursing home facilities, classification of violations
8 relating to such facilities, medical staff qualifications, record-keeping,
9 nursing service, dietary service, personnel qualifications and general
10 operational conditions.

11 (b) (1) As used in this subsection, "direct care" means hands-on-care
12 provided to residents of nursing home facilities, including, but not
13 limited to, feeding, bathing, toileting, dressing, lifting and moving
14 such residents, but does not include food preparation, housekeeping or
15 laundry services, except when such services are required to meet the

16 needs of any such resident on an individual situational basis.

17 (2) The Department of Public Health shall not issue a license to or
18 renew the license of a nursing home facility unless such facility
19 employs sufficient direct care provider staff needed to provide
20 continuous twenty-four-hour direct care services to meet the needs of
21 each resident in such facility.

22 (3) Not later than October 1, 2001, each nursing home facility shall
23 maintain aggregate direct care provider staffing levels at or above the
24 following standards:

25 (A) During the day shift, one full-time employee for each five
26 residents;

27 (B) During the evening shift, one full-time employee for each ten
28 residents; and

29 (C) During the night shift, one full-time employee for each fifteen
30 residents.

31 (4) Any licensed nursing home facility that fails to comply with the
32 minimum staffing requirements of subdivision (3) of this subsection on
33 any day shall submit a report to the department, identifying the day on
34 which and the shift during which such noncompliance occurred and
35 specifying the reasons for and circumstances surrounding such
36 noncompliance. The report required by this subdivision shall be
37 submitted on a quarterly basis. If such facility fails to submit any
38 report required by this subdivision or intentionally misrepresents the
39 information contained in any such report, or if the commissioner
40 determines that there is sufficient evidence to support a finding that
41 there exists a pattern of noncompliance by such facility with the
42 minimum staffing requirements of subdivision (3) of this subsection,
43 the commissioner may take action against such facility in accordance
44 with sections 19a-524 to 19a-528, inclusive.

45 [(b)] (c) Nursing home facilities may not charge the family or estate

46 of a deceased self-pay patient beyond the date on which such patient
47 dies. Nursing home facilities shall reimburse the estate of a deceased
48 self-pay patient within sixty days after the death of such patient, for
49 any advance payments made by or on behalf of the patient covering
50 any period beyond the date of death. Interest, in accordance with
51 subsection (a) of section 37-1, on such reimbursement shall begin to
52 accrue from the date of such patient's death.

Statement of Purpose:

To increase the number of direct care providers and enhance the quality of care in nursing homes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. PRAGUE, 19th Dist.; REP. VILLANO, 91st Dist.
REP. DELGOBBO, 70th Dist.; REP. SAN ANGELO, 131st Dist.